

REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	06 September 2002
Name of applicant/court:	The Film and Video Labelling Body Inc.
Applicant to the Labelling Body:	Video Wholesalers Ltd
Title of Publication:	Marissa
Other Known Titles:	Not Stated
Director:	Paul Thomas
Producer:	Paul Thomas
Publisher:	Not Applicable
Author:	Not Applicable
Format:	DVD
Country of Origin:	USA
Language:	English

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Components of film originally examined:

Menu:	Play Movie		
	Chapters		
	Set Up		
	Special Features		
Feature:	Marissa	Running time:	108.09
Other Timed	FBI Warning Notice	Running time:	0.04
Components:	Production Notice		0.05
	Vivid DVD Notice		0.13
	Deep Inside Cheyenne Silver		1.23
	The Deviant		1.04
	Return To Sender		2.11
	Delusional		2.14
	Dreams		11.22
	House Sitter		12.12
	Color Blind 2		14.05
	Watcher 16		15.48
	Photo Gallery		3.00
	The Web		1.32
Other			
Components:	Fetish Rooms		
		Total Running time:	173.22

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Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

Classification Decision:

Objectionable.

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has not been given.

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SUMMARY OF THE REASONS FOR DECISION:

The DVD *Marissa* is classified as:
Objectionable.

The DVD contains a feature previously examined and classified in video format by the Office of Film and Literature Classification. The video recording *Marissa* was classified as "Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years", with the descriptive note "Contains explicit sex scenes". This decision was registered on 02 July 2002.

The feature presents scenes of explicitly depicted sexual activity in the context of a plot about a jazz musician's love life. These scenes have a relaxed and friendly air. The DVD also contains other components, including a selection of scenes from other sexually explicit features. One of the scenes contrasts with the other material in that it presents sexual conduct of a strongly degrading, dehumanising and demeaning nature, which has the effect of degrading, dehumanising and demeaning the female participants. While engaging in sexual activity with two females the male treats them roughly, is physically aggressive and shows little regard for their physical wellbeing.

Section 32 of the FVPC Act provides that if, after examining a "film" submitted under s12(1), the Classification Office would classify the film differently if specified parts were excised, the Classification Office shall offer excisions. If it were possible to make an excision to the publication, the excision of the sequence discussed above would be recommended. However, due to the DVD format of the publication, excisions cannot be offered. The Classification Office has been advised that distributors are unable to excise portions of DVDs in New Zealand.

In view of the extent and degree to which, and the manner in which, the DVD presents sexual activity as discussed above, the Classification Office finds that the availability of the publication is likely to be injurious to the public good.

Consideration has been given to the relevant provisions of the New Zealand Bill of Rights Act as they relate to this publication. Given the material contained in the sequence entitled *Color Blind 2* the availability of the publication is considered to be injurious to the public good. The resultant limit on freedom of expression is prescribed by law.

OFLC Ref: 201297